



Montana Fish, Wildlife & Parks

Decision Notice Western Montana Fish & Game Association Shooting Range Enhancement Grant Deer Creek Range, Missoula

September 11, 2009

Montana Fish, Wildlife & Parks released a draft Environmental Assessment (EA) on a proposal to grant \$66,780 in state license dollars to the Western Montana Fish & Game Association (WMFGA) to reconstruct, move, repair and pave internal roads on the Deer Creek shooting range.

The draft EA was posted on FWP's web site July 23, 2009 for a 30-day comment period and the legal notice was published once each in the *Independent Record* (Helena; August 11) and *Missoulian* (August 9). A regional news release was distributed on August 8, 2009.

FWP received seven comments from the public and one from the Montana Historic Preservation Office (SHPO). These comments and FWP's corresponding responses are listed below:

SHPO Comment: *"...It is SHPO's position that any structure over fifty years of age is considered historic and is potentially eligible for listing on the National Register of Historic Places. If any structures are to be altered and are over fifty years old we would recommend that they be recorded and a determination of their eligibility be made..."*

FWP Response: There are no buildings on the project site that are over 50 years old.

Public Comment: *"I believe the project to improve access to the WMFGA range is a good project. The road gets very icy in the winter and is pretty steep. Gradually sloping the road will help with winter access. Also, paving the road will help melt the ice as well as keeping dust down in the summer."*

Public Comment: *"Please consider WMF&G for the funding for road construction and access improvements. In the winter it is tough to get into the range without a 4x4."*

Public Comment: *"As someone who has slid down that hill backwards in the wintertime more than once, I fully support this project."*

Public Comment: *"...I have never had difficulty driving up the grade from the entry road to the level of the shooting bays. Rather, I am one of those who avoids the range in the wintertime because*

of the possibility of sliding off the road into the trees while driving down the exit portion of the loop. Range management has made available a pile of material that can be shoveled onto the exit hill by a shooter anticipating a slippery slope. In my case, however, that does little good, since I don't want to fall on the ice while shoveling and injure my metal hips (total hip replacement). This project would make more sense to me if the new road were designed to be two-way, with a solid white or yellow stripe down the middle. The steep and troublesome exit road could then be closed and returned to its natural state along with the old entry road."

FWP Response: The design, use, and placement of the actual road were approved by WMFGA's board of directors and the actual construction will involve a licensed contractor with road-building expertise. However, this suggestion will be forwarded to the club for consideration.

The following three public comments are similar in nature and relate to use of funding by FWP.

Public Comment: *"As a hunter in the Missoula area who has to look for sites to target practice and sight in my rifle, I oppose the proposed expenditure of \$67,000 public FWP money to a private, members-only shooting range. The EA specifically states: The 2007 Montana Legislature has authorized funding for the establishment of a Shooting Range Development Program providing financial assistance for the development of shooting ranges for public purposes. This project does not have access for the public, only for paying members. The maintenance and road costs for the Deer Creek shooting range should be supplied by dues from the paying members, not through public funds coming from Montana hunters and anglers. I would support any shooting range upgrades that has equal access for Montana citizens."*

Public Comment: *"Reference the funds for the Western Montana Game & Fish Deer Creek Shooting Range - Unless this is a public range, and open to the public, FWP has NO business spending taxpayer dollars on it - Not one cent."*

Public Comment: *"This funding proposal contravenes the public trust in that it proposes to spend public money – in a time when funding is stretched – for private benefit on an essentially private project. The Shooting Range Development Program is meant to provide financial assistance for the development of shooting ranges for public purposes. This shooting range is a private club, not a public shooting range. The road in question is private, gated and locked from public use. FWP grant money should absolutely not be applied to fund a private project..."*

FWP Response: WMFGA is eligible to receive grant funding for the Deer Creek shooting range and FWP is authorized to grant this request according to Montana Code (87-1-277), which allows private ranges to apply for grant moneys under the following conditions:

- (4) To be eligible for grant assistance, a private shooting club or a private organization:*
 - (a) (i) shall accept in its membership any person who holds or is eligible to hold a Montana hunting license and who pays club or organization membership fees;*
 - (ii) may not limit the number of members;*

(iii) may charge a membership fee not greater than the per-member share of the club's or organization's reasonable cost of provision of services, including establishment, improvement, and maintenance of shooting facilities and other membership services; and
(iv) shall offer members occasional guest privileges at no cost to the member or invited guest and shall make a reasonable effort to hold a public sight-in day each September, when the general public may use the shooting range for a day-use fee or at no cost; or
(b) shall admit the general public for a reasonable day-use fee.

WMFGA complies with section "4.a" of MCA 87-1-277. The Club has a membership of about 1,500 shooters, conducts numerous events and competitions throughout the year, and the Missoula Hunter Education program uses this range for their field days, which are attended by over 500 youth and adults annually.

Public Comment: "... Secondly, the EA claims there is no environmental impact, cumulative or otherwise, from building new roads. This is simply never the case. The EA failed to identify and analyze environmental impacts. In weighing the available alternatives, the agency's only justification for going ahead with the project is that "there are beneficial consequences...such as increased human safety and accessibility to recreational opportunities." This, too, is a flawed analysis and fails to justify the project. There will always be beneficial consequences to the project sponsor. There is no increased human safety resulting from the improvement/development of these particular roads what so ever, and access to recreational opportunities to a relatively select few citizens simply does not and should not support the expenditure of public money by an agency that has a myriad of management obligations that, instead, do relate to the general public. FWP should reconsider the "no action" alternative and deny the grant."

FWP Response: Public safety and access are the main justifications for this project. The current incline of the road prevents users with non-four wheel drive vehicles from accessing the range during winter months. Although there has never been an injury due to a vehicle sliding off the road, the WMFGA feels the risk is real to justify investing club resources into this project.

Given the scope of work, FWP applied an abbreviated checklist as the basis for the environmental assessment. Any area that will be disturbed by construction activities, but are not part of the actual road, will be reclaimed to reduce soil erosion and prevent noxious weeds from becoming established. The existing road will be removed and the site reclaimed to a natural state. New road construction will disturb a relatively small area of the present site (approximately an area 300ft long x 40ft wide), which will not alter the overall diversity of the plant community in the area. Noxious weed control will be implemented per direction from the county weed district. Improvements to the existing road and parking areas will not negatively affect the existing soil conditions since these are areas with a long history of use already. Minor and temporary dust and vehicle emissions will be created by construction equipment during the construction phase. However, the construction time is short and the actual impacts minimal and typical.

Based on public comments and internal review, the Draft EA will be adopted as the Final EA. This

Decision Notice and the Final EA will serve as the final documents pertaining to this action. Funding for this project will be granted by FWP pending the completion of other administrative requirements by WMFGA as required by the Shooting Range Development Program.

Sincerely,

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